

U.S. Patent Application Serial No. 09/023,416  
Amendment filed August 11, 2004  
Reply to Office Action dated May 12, 2004

### **REMARKS**

Claim 1 is the sole claim in the application and stands finally rejected under 35 U.S.C. §102(b) as being anticipated by the Japanese reference, JP 7-28720.

The comments made by the Examiner in the Office Action have been considered. Pursuant to the rejection, which Applicant submits is not well taken, the application is hereby amended in order to more specifically define the structural distinctions which exist in the present invention over the device of the reference. Particularly, claim 1 is hereby amended to the extent of limiting the claimed fluid control apparatus to one in which there are “a plurality of adjacent valves” by deleting the disjunctive expression, “one valve or”, from line 4 of the claim, thereby to avoid the Examiner’s objection that the invention, as previously claimed, covered a single two port valve on either side of a MFC, the only ports required to be held in communication with the MFC are valve ports adjacent the MFC and the MFC port as shown by the Japanese reference.

It is submitted that claim 1, as hereby amended, expressly contemplates “a plurality of adjacent valves, with the adjacent valves interconnecting each other and with the fluid controllers without using tubing.” In addition to this distinction over the reference, it is respectfully submitted that other distinctions also exist; namely:

- a) the lines 31a, 33a, 34a, etc., which interconnect adjacent valve members of the present invention, are not disposed in valve main bodies 12, 14, 16, etc. but, instead, extend through valve mounts that form joint members 31, 33, 34, etc., with the openings that communicate the lines with the valve ports being located on mutually

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- facing surfaces of the valve main bodies and the joint members, respectively; and
- b) the valve main bodies and the joint members of the present invention, which contain the interconnecting openings, are separate members from the valve main bodies.

These features, which are not present in the reference device, have been clearly recited in the claim. Moreover, as here amended, the claim is made to further specify that the recited joint members 31a, 33a and 34a, etc., forming the valve mounts include at least one rectangular parallelepipedal communication channel member having a V-shaped channel, which feature is absent from the reference.

In view of the above, Applicants respectfully request that the Examiner enter this Amendment in the case and pass the application to issue. In the event the Examiner is constrained to retain the rejection of the single claim in the application, it is requested that the Examiner nonetheless enter the amendments to claim 1 herein in order to place the application in better condition for appeal.

On the other hand, however, if the Examiner finds that minor revision is still required to render the claim in the application satisfactory, it is requested that he call the Applicants' attorney at the telephone number indicated below in order to expedite the changes required to place the application in condition for allowance.

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In the event that this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. Please charge any fees for such an extension of time and any other fees which may be due with respect to this paper, to Deposit Account No. 01-2340.

Respectfully submitted,

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